IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 20TH JUNE 2007 / 30TH JYAISHTA 1929

WP(C).No. 12835 of 2007(C)

PETITIONER:

K.K.ANANDASIVARAM,S/O.K.M.KUMARAN,
AGED 53 YEARS,CHARGEMAN,KSRTC,ERNAKULAM DEPOT,
RES.AT KAYIPARAMBIL HOUSE,KONGORPILLY P.O,
KONGORPILLY,ERNAKULAM.

BY ADV. SRI.C.A.CHACKO
SMT.C.M.CHARISMA
SRI.N.A.SHAFEEK

RESPONDENTS:
----

1. KERALA STATE TRANSPORT WORKERS
CO-OPERATIVE SOCIETY LTD,NO.T.133,THAMPANUR,
THIRUVANANTHAPURAM,REP.BY ITS SECRETARY.

2.]KERALA STATE TRANSPORT CORPORATION,
REP.BY THE MANAGING DIRECTOR,TRANSPORT BHAVAN,
THIRUVANANTHAPURAM.

3. THE ASSISTANT TRANSPORT OFFICER,
K.S.R.T.C ERNAKULAM.

4. P.S.SASIDHARAN,RETIRED MECHANIC,
KSRTC,WORKSHOP,ALUVA,RES.AT PULLUTHUPARAMBIL,
NARACKAL,ERNAKULAM.

BY ADV. SRI.K.PRABHAKARAN, SC, K.S.R.T.C.
SRI.N.UNNIKRISHNAN,SC KSTW CO.OP SOCIET

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 20/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN W.P.(C) NO.12835/07 C

PETITIONER'S EXHIBITS:

EXT.P1 TRUE COPY OF NOTICE DATED 15.3.2007 ISSUED BY THE FIRST RESPONDENT.

EXT.P2 TRUE COPY OF REPRESENTATION DATED 18.3.2007 MADE BEFORE FIRST RESPONDENT BY FOURTH RESPONDENT.

EXT.P3 TRUE COPY OF REPRESENTATION DATED 20.3.2007 MADE BEFORE THE FIRST RESPONDENT BY THE PETITIONER.

// TRUE COPY//

PS TO JUDGE

K. M. JOSEPH, J.

W.P.C. NO. 12835 OF 2007 C

Dated this the 20th June, 2007

JUDGMENT

Petitioner stood a surety for a loan taken by the fourth respondent from the first respondent Society. Petitioner has approached this Court challenging Ext.P1 Notice issued by the first respondent for recovering the amount from him and also seeking a direction to respondents 1 to 3 to take steps to recover the arrears of the loan from the Commuted Value of Pension of fourth respondent, who is the principal debtor. The fourth respondent has preferred Ext.P2 representation dated 18.3.2007 in which he has stated that the amount due may be recovered from his Commuted Value of Pension. The fourth respondent retired on 31.8.2004. Learned standing counsel appearing for the KSRTC submits that there is a Division Bench Judgment, as per which payments have been made upto 2003. Fourth respondent is a retired Mechanic. There is no appearance for the fourth respondent, even though service is complete. Counsel

for first respondent submits that the amount payable by fourth respondent will come to Rs.33,346/=. In such circumstances, there will be a direction to the second respondent to disburse the amount of Rs.33,346/= to the first respondent on behalf of the fourth respondent, within a period of one month from the date of receipt of a copy of this Judgment.

The Writ Petition is disposed of as above.

K. M. JOSEPH, JUDGE

kbk.